

March 10, 2011

MEETING OF THE MONTGOMERY COUNTY BOARD OF ELECTIONS
18753-210 North Frederick Avenue, Gaithersburg, Maryland

In Attendance:

Board Members:

Jerrold Garson, President
Nancy Dacek, Secretary
Lucia Nazarian
John Sullivan, Vice President- connected via phone at 3:58
Nahid Khozeimeh- connected via phone at 4:00
Rosalyn Pelles- connected via phone at 3:59

Staff:

Margaret Jurgensen, Election Director
Sara Harris, Deputy Election Director
Laletta Dorsey, Registration Coordinator
Marjorie Roher, Management and Budget Specialist III
Kevin Karpinski, Legal Counsel
Renee Adams, Election Aide

Mr. Garson called the meeting to order and declared a quorum present at 4:00 p.m.

Petition and Verification Process

Ms. Jurgensen stated that the purpose of this meeting is to discuss recent instructions from the State Board of Elections (SBE) regarding the Petition Acceptance and Verification Procedures. She reported that there is an issue regarding how the signatures on the petitions will be processed for the two petitions not yet received. Ms. Jurgensen stated that her recommendation is for the Board to have Mr. Karpinski draft a letter to the Attorney General as well as the State Board questioning the current petition acceptance and verification process.

Mr. Karpinski discussed further details on why the procedures are not good public policy. He stated that there are two problems: the Court of Appeals could not have adopted the standard that the State is proposing because the signatures were broken down into five categories and in order for the petitioners to win the case in the Court of Appeals, they had to win in every category and in two of the categories the signatures did

not match the signature on the voter registration application or the signature was illegible. Second, neither the State nor the Attorney General has recognized that there is a distinction between a local law referendum and a nominating petition. After further discussion, Mr. Karpinski stated that he believes the Board should write the State Board and copy other local boards explaining to them that the current State procedure is inappropriate.

Mrs. Dacek questioned whether the letter would propose an alternate process or simply express the opinion that what the State is proposing is incorrect. Ms. Jurgensen responded that the State's response will be that until told otherwise, we are to proceed with the verification process that they outlined. She recommended proceeding with the assigned petition verification. Mrs. Dacek agreed that the letter should be sent to the other Boards.

A motion was made by Mrs. Khozeimeh for Legal Counsel to draft a letter to the Court of Appeals, copying the Attorney General, SBE, and local Boards regarding the process for petition acceptance and verification process. The motion was seconded by Mr. Sullivan and carried unanimously.

Adjournment

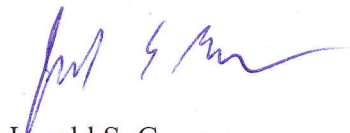
With no further business, a motion was made by Ms. Dacek to adjourn the meeting. The motion was seconded by Mr. Sullivan and carried unanimously. The meeting was adjourned at 4:21 p.m.

Respectfully submitted,

Marjorie M. Roher

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Management & Budget Specialist III

APPROVED BY THE BOARD:



Jerrold S. Garson
Board President